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14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 MCDONALD'S CORPORATION,

17 Case No.: 2:23-CV-00384-JCM-EJY

18 Plaintiff,

19 vs.

20 **STIPULATION TO EXTEND CASE**
21 **SCHEDULE (FIRST REQUEST)**

22 CIRCA HOSPITALITY GROUP II LLC D/B/A
23 THE D LAS VEGAS,

24 Defendant.

25 Pursuant to Local Rules 26-3 and IA 6-1, Plaintiff McDonald's Corporation Plaintiff
26 McDonald's Corporation ("McDonald's") and Defendant Circa Hospitality Group II LLC d/b/a
27 The D Las Vegas ("The D") hereby stipulate and agree to extend the remaining dates in the existing
28 case schedule by approximately six months. This extension will allow the parties time to discuss
potential resolution of this action and, if such discussions are unsuccessful, to complete discovery,
including discovery related to the Second Amended Complaint. This is the parties' first stipulation
to extend the case schedule and is brought for good cause as set forth below.

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1 1. **Discovery completed.** The parties have served their initial disclosures pursuant to
2 Rule 26(a). The parties have also each issued and responded to initial written discovery.

3 2. **Discovery that remains to be completed.** Pursuant to the parties' Stipulation of
4 No Opposition to Plaintiff's Motion for Leave to File Second Amended Complaint, filed
5 contemporaneously herewith, The D has stipulated to withdraw its Limited Opposition to
6 Plaintiff's Motion for Leave to File Second Amended Complaint, ECF No. 82, and the parties have
7 stipulated to allow McDonald's to file its Second Amended Complaint. McDonald's Second
8 Amended Complaint adds new facts and an additional claim for relief. Accordingly, the parties
9 will need to conduct additional discovery relating to the new allegations contained in McDonald's
10 Second Amended Complaint.

11 3. **Reasons for the extension.** The parties have agreed to engage in an in-person
12 settlement negotiation, which will be attended by duly authorized corporate representatives and
13 counsel for the parties, on March 13, 2024. The parties desire to avoid incurring additional costs
14 and expenses relating to discovery pending the outcome of this settlement negotiation. If such
15 negotiations are unsuccessful, the parties believe that an additional six months will be an
16 appropriate amount of time to complete discovery related to the Second Amended Complaint.

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1 4. **Proposed schedule.** The parties propose that all discovery deadlines be extended
 2 by six months. With respect to the three deadlines that have already passed—to amend
 3 pleadings/add parties, Rule 26(a)(2) initial expert disclosures, and rebuttal expert disclosures—the
 4 parties are limited to the new allegations contained in McDonald’s Second Amended Complaint.
 5 Subject to the foregoing, the parties propose that the Court amend the scheduling order in this case
 6 as follows:

| <u>Event</u> | <u>Current Deadline</u> | <u>Proposed New Deadline</u> |
|---|-------------------------|------------------------------|
| Amend Pleadings/Add Parties | December 28, 2023 | June 28, 2024 |
| Fed. R. Civ. P. 26(a)(2) Initial Expert Disclosures | January 24, 2024 | July 24, 2024 |
| Rebuttal Expert Disclosures | February 23, 2024 | August 23, 2024 |
| Discovery Cutoff | March 27, 2024 | September 27, 2024 |
| Dispositive Motions | April 26, 2024 | October 25, 2024 |
| Joint Pretrial Order | May 24, 2024 | November 22, 2024 |

16 DATED this 5th day of March, 2024.

17 WRIGHT, FINLAY & ZAK, LLP

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18 /s/ Yanxiong Li

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IT IS SO ORDERED.


 27 U.S. MAGISTRATE JUDGE

28 Dated: March 6, 2024